



MAIL STOP PETITION
PATENT
10400-000153/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kent NYMAN

Conf: 6990

Serial No.: 10/531,204

Group: Unknown

Filed: April 14, 2005

Examiner: Unknown

For: DENTIST'S MIRROR

PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 11, 2006

Dear Sir:

In response to the Notification of Abandonment dated July 28, 2006, Applicant's hereby respectfully petition under the provisions of 37 C.F.R. 1.181 and M.P.E.P. §711.03(c) for decision to withdraw the holding of abandonment.

The Notification of Abandonment dated July 28, 2006 indicates that this application was abandoned in view of Applicant's failure to respond to the Notification of Missing Requirements dated December 23, 2005. However, a review of the file jacket for the present application, the firm docketing records, and the contents of the file for the present application reveals that a response to the Notification of Missing Requirements dated December 23, 2005 was filed on January 31, 2006.

The fact that a response was filed on November 6, 2001 is evidenced by **Exhibits I-III** attached hereto.

Exhibit I is a copy of the front page of the attorney's file jacket of Serial No. 10/531,204. It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petition Examiner will note, there is an entry with respect to the December 23, 2006 Notification of Missing Requirements indicating that a response was filed on January 31, 2006.

Exhibit II is a copy of the manual daily docket sheet for Harness Dickey & Pierce P.L.C. (Reston Office) for the dates of February 23, 2006 and January 31, 2006, containing entries made by our Docketing Personnel of due dates in response to United States Patent and Trademark Office Actions. It is the policy of our office to docket all due dates for Office Actions received from United States Patent and Trademark Office into our manual docket system. As indicated for the entry of Docket Number 10400-000153/US, which corresponds to Application Serial No. 10/531,204, a response was filed on January 31, 2006 to this Office Action.

Exhibit III is a date-stamped postcard indicating both filing of the documents filed on January 31, 2006 in response to the Notification of Missing Requirements in the above-referenced application, and indicating receipt of the documents **by the United States Patent and Trademark Office** on January 31, 2006. As indicated by this stamped postcard, the documents filed on January 31, 2006 included the Response, the original declaration, and a copy of the Notice to File Missing Parts. A copy of the filed documents is attached hereto.

In view of the above-described facts, and since Applicants have received a date-stamped postcard **indicating USPTO receipt of the documents filed January 31, 2006**, it is readily apparent that the abandonment of the present application was improper and due solely to problems with the United States Patent and Trademark Office after receiving the January 31, 2006 response to the Notification of Missing Requirements. Accordingly, this petition is being timely filed for the purpose of petitioning withdrawal of the abandonment in view of the above-stated facts.


It is further believed that no petition fee is necessary in connection with this petition. In the event that the petition fee is deemed necessary by the United States Patent and Trademark Office, it is respectfully requested that the fee of \$130.00 as set forth in 35 U.S.C. §1.17(h)(1) be charged to Deposit Account No. 08-0750.

In the event that any matters remain at issue in the application, the Examiner is invited to contact Donald J. Daley in the Northern Virginia area for the purpose of a telephonic interview.

Respectfully submitted,

HARNESS, DICKEY AND PIERCE P.L.C.

By


Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

Attachments



Feb. 23

8295C - crew 4	F-1	JAC/PO2
abandon 2/23	NA	
6056 - crew 51 et	And	PO2
✓ 10400 - 000197 noted no fees		DJD
✓ 2557 - 000310 6/1/23	IDS	JAC
✓ 10400 - 000153 / US 6/1/31	Miss Rgmts	DJD
✓ 8956 - 000098 / US noted	IF REM	JAC/DAP
✓ 9761 - 000304 noted	Remind iss. fees	TLC
✓ 9694D - 000030 6/2/23	NTFMP	DJD/HRT
✓ 2557 - 000419 2/1/3	Rem and n a	JAC
✓ 2557 - 000420 2/1/3	Rem and n a	JAC
2557 - 000421	Rem and n a	JAC
✓ 25611 - 000135 2/2/21	TFD	JAC

BEST AVAILABLE COPY

Tues Jan. 31, 2006

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TLC ① 1740-000193/New/Util trans, Spec/Dugs/#19932 \$1400

② 12480-000010/10/421712/Amend/#19918 \$500

③ 14010-000002/10/321530/RCE/#19919 \$1790

④ 32860-000979/10/563,054/IDS w/4 refs, EP SR

⑤ 29250-002070/09/159481/Change of Address

TLC ① 46500-000229/US/1/New/UPAT, FT, IS, Spec, Dugs #19936 \$1150⁰⁰, RRCJAC ② 25611-000137/US/New App/#19928 \$1040⁰⁰, UT, FT, RCS w/EA, PL w/CC of
Korean PD, IDS, 1449, Spec, Exec Dec, Fml DugsJAC ③ 6668-000003/US/New App/#19935 \$1040⁰⁰, UT, FT, RCS w/EA, PL w/CC of
Korean PD, IDS, 1449, Spec, Exec Dec, Fml Dugs

④ 8964-000024/US/11/233,364/Trans, IDS, 1449

JAC ⑤ 2557-000331/US/New App/#19924 \$1490⁰⁰, UT, FT, RCS w/EA, PL w/CC
Korean PD, IDS, 1449, Spec, Exec Dec, Fml Dugs

⑥ 32860-000952/US/11/274,205/IDS, 1449

JAC ⑦ 2421-000055/US/New App/#19912 \$1040⁰⁰, UT, FT, RCS w/EA, PL w/CC of
Korean PD, IDS, 1449, Spec, Exec Dec, Fml DugsJAC ⑧ 25611-000143/US/New App/#19925 \$1240⁰⁰, UT, FT, RCS w/EA, PL w/CC
Korean PD, IDS, 1449, Spec, Exec Dec, Fml Dugs⑨ 8564-000102/US/New App/#19933 \$1040⁰⁰, UPAT, FT, RCS w/EA, PRS,
Spec, Exec Dec, Fml Dugs

⑩ 45900-000718/US/10/031,911/Amend

⑪ 29250-000815/US/10/425,825/Trans, Amend

⑫ 32860-000898/US/10/540,252/RNFEUR, cc ED, cc NTFEUR

⑬ 10400-000153/US/10/531,204/RNFEUR, OED, cc NTFEUR

⑭ 32860-000942/US/10/548,262/RNFEUR, cc ED, cc NTFEUR

⑮ 32860-000367/US/10/212,864/Trans, Amend

JAC ⑯ 2557-000349/US/New App/#19927 \$1040⁰⁰, UT, FT, RCS w/EA, PL w/CC
Korean PD, IDS, 1449, Spec, ED, Fml Dugs

⑰ 12480-000152/US/11/270,651/IDS, 1449

⑱ 7862-000050/US/11/23,198/IDS, 1449, Ref. Korean OA

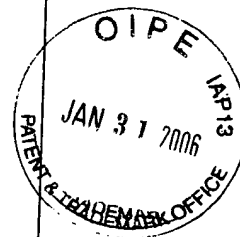


Applicant: Kent NYMAN	Case No.: 10400-000153/US
Serial No.: 10/531,204	Filing Date: April 14, 2005
Title: DENTIST'S MIRROR	

Please acknowledge receipt of:

- (1) Response to Notice to File Missing Requirements of an Application
- (2) Original, executed Declaration
- (3) Copy of Notice to File Missing Requirements of an Application (Form PCT/DO/EO/905)

By stamping and returning to Harness, Dickey & Pierce, P.L.C.



USPTO Date Stamp

Due: 02/23/2006

Attorney: Donald J. Daley:bof - Filed: 01/31/2006

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